

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PAR PLUMBING CO., INC.
and CARDOZA CORP.

Plaintiffs,

-against-

WILLIAM JOHNSTON aka WILLIAM JOHNSON,
in his official capacity as Chief Executive Officer of
ASA Associates of New York, Inc. and in his individual capacity,
ASA ASSOCIATES OF NEW YORK, INC. and
RIVERDALE ASSOCIATES LLC

Defendants.

-----X
STATE OF NEW YORK)

S.S.:

COUNTY OF SUFFOLK)


HOWARD ETTINGER, being duly sworn deposes and says that he is over the age of eighteen, is an agent of KEATING & WALKER ATTORNEY SERVICE, and is not a party to this action.

That on the 8th day of November, 2007, at approximately 8:29 a.m., deponent served a true copy of the Summons in a Civil Action, Complaint, Judge Batts' Individual Practice Rules, Procedures for Electronic Case Filing dated March 6, 2003 and 3rd Amended Instructions for Filing an Electronic Case or Appeal dated June 7, 2004 upon WILLIAM JOHNSTON aka WILLIAM JOHNSON, in his official capacity as Chief Executive Officer of ASA Associates of New York, Inc. and in his individual capacity, at 656C North Wellwood Avenue, #265, Lindenhurst, New York. This address was reported to the New York Secretary of State as the Principal Executive Office, the address of an Officer, William J. Johnson and the address of the Registered Agent also listed as William J. Johnson. The address is in fact a Private Mail Box address within a UPS Store. Service was effected by personally delivering and leaving the aforementioned documents with Frank Johnston, the Manager of the UPS Store and a person of suitable age and discretion at that address, the listed business address of WILLIAM JOHNSTON aka WILLIAM JOHNSON. Mr. Frank Johnston also confirmed that ASA Associates of New York, Inc. was still the holder of Private Mail Box # 265.

Frank Johnston is a white male approximately years of age, stands approximately 6 feet tall, weighs approximately 190 pounds with balding gray hair and was wearing glasses at the time of service.

Sworn to before me this
16th day of November, 2007.


HOWARD ETTINGER


ANDREA MOLODY
Notary Public, State of New York
Reg. No. 01-MO-6037166
Qualified in Suffolk County
Commission expires February 14, 2010